GOVERNMENT OF INDIA
DEFENCE
LOK SABHA

UNSTARRED QUESTION NO:3748
ANSWERED ON:22.03.2001
STATUS OF DEFENCE CIVILIANS UNDER ARMY ACT
ANANDRAO ADSUL

Will the Minister of DEFENCE be pleased to state:

(a) whether the Defence Civilians are covered under the Army Act, 1950;

(b) if so, the details thereof;

(c) whether the Defence Civilians are liable for `Field Service Duty`; and

(d) if so, the details thereof?

Answer

MINISTER OF DEFENCE (SHRI JASWANT SINGH)

(a) to (d): A Statement is attached.

STATEMENT REFERRED TO IN REPLY TO PARTS (a) TO (d) OF LOK SABHA UNSTARRED QUESTION NO. 3748 22.3.2001

The following categories of the Defence Civilians are subject to the Army Act, 1950:-

(i) In terms of Section 2 (1)
(i) Army Act, 1950, persons, not otherwise subject to military law, who, on active service, in camp, on the march or at any frontier post specified by the Central Government by notificationin this behalf, are employed by or are in the service of, or are followers of, or accompany any portion of, the regular Army would be subject to Army Act.

Thus, subjection of civilians, to the Army Act, is limited to the fulfillment of the conditions prescribed in Section 2 (1)
(i).

(ii) Civilians in the establishments of Assam Rifles, Civil General TransportCompany, and General Reserve Engineering Force are subject to the Army Act, at all times. As per the provisions of Section 4 of the Army Act, the said Act has been applied to them.

2. Defence Civilians are liable for field service duty in accordance with Civilians in Defence Services (Field Service Liability) Rules, 1957. The category of persons mentioned in Section 2 (1) (l) of the Army Act, though, non-combatants, are integral to the Armed Forces and would be liable for field service duty, if the need arises.